

ARTICLE APPEARED  
ON PAGE **B 4**NEW YORK TIMES  
14 June 1985

# Ex-Agent of F.B.I. Tells Of a Spy Case 'Fantasy'

By JUDITH CUMMINGS

Special to The New York Times

LOS ANGELES, June 13 — Richard W. Miller testified today that he was acting out "a James Bond kind of fantasy" last year when, as an agent of the Federal Bureau of Investigation, he became sexually involved with a Russian woman now accused of being a Soviet spy. The relationship, Mr. Miller said, "just sort of came with the territory."

Mr. Miller, the first F.B.I. agent accused of spying, continued today to give details of his affair with the Soviet émigré, Svetlana Ogorodnikov, whom he said he had hoped to develop into a valued informer for the bureau.

Mr. Miller was dismissed by the bureau last fall and is now accused of conspiracy to commit espionage with Mrs. Ogorodnikov and her husband, Nikolay, through the passing of secret intelligence to the Soviet Union. Mr. Miller, 48 years old, is testifying for the third day as a witness for the Government at the Ogorodnikovs' trial in Federal District court here. His own trial will be scheduled later.

The Ogorodnikovs have denied they were spying. Mrs. Ogorodnikov, 35 years old, has asserted that she thought she was helping the bureau in dealing with Mr. Miller.

## Juror Cautioned by Judge

Judge David V. Kenyon today cautioned jurors to "avoid" news accounts of other spy cases after learning that two jurors and two alternate jurors had heard reports of a remark by Secretary of Defense Caspar W. Weinberger that convicted spies should be executed. Judge Kenyon's instruction came after lawyers for Mrs. Ogorodnikov complained that the comment was very "prejudicial" to their case.

One of the four on the jury panel who heard the report said he thought the comment was "pretty irresponsible."

Mr. Miller's testimony today came after earlier tough questioning by the prosecution in which Mr. Miller, who is married and has eight children, admitted that by the time he met Mrs. Ogorodnikov last May he had a history of philandering and had been excommunicated from the Mormon church for adultery.

## 'Minimally Acceptable'

He also admitted that he had been rated "minimally acceptable" as a bureau agent, had improperly used his bureau job for financial gain and had stolen money from a family member and from an elderly woman who was a bureau informer. Mr. Miller repeatedly denied, however, that he had been having any significant financial problems.

Mr. Miller said today that "part of my motivation" for getting involved with Mrs. Ogorodnikov was that he wanted to redeem himself.

"I wanted to improve my status with my fellow employees because I didn't feel I had much respect," he said. He said that from the date of his second

meeting, on May 30, 1984, with Mrs. Ogorodnikov, who he said had contacted him offering information on the Soviet émigré community and had asserted she had contacts in the K.G.B., the Soviet intelligence agent, he had thought, "She could be a virtual gold mine."

"If I could pull this off," Mr. Miller said, "at least in terms of my employment I'd come out a hero."

He said he had not thought about whether he might be compromised by Mrs. Ogorodnikov and recruited as a spy.

## He Told of Money Obsession

In testimony Wednesday, Mr. Miller conceded that two weeks before his arrest he had told Marta Williams, another woman with whom he was having an affair, that he was "almost obsessed with the idea of making money."

"I don't deny saying it," Mr. Miller said under questioning by an assistant United States attorney, Bruce G. Merritt. "I just don't think it's an accurate statement."

Mr. Miller said he knew it was "improper" for him to have sex with a bureau informer, which is how Mrs. Ogorodnikov has characterized herself, and said he did not report the incident to his supervisor.

"I was very embarrassed," Mr. Miller said. The sexual encounter was "not a bureau activity. It was a stupid thing to do and you don't tell about the stupid things you do in life."

## 'Yellow Light of Caution'

He said, however, that he had discussed his first meeting with Mrs. Ogorodnikov, and her offer of information about the émigré community, with his supervisor, Gary Auer, and a fellow agent, John E. Hunt. They warned him "to proceed with a yellow light of caution," he said.

Under Mr. Merritt's questioning, Mr. Miller gave an elaborate account of his financial situation. But he refused to describe his finances as troubled.

"I don't think our financial situation has ever been bad, desperate," Mr. Miller said.

As an bureau agent, he said, "I was making \$50,000 a year, supplemented by my wife," who sometimes worked as a teacher. He said the family was "never destitute."

## 'I'm Not Proud of That'

Mr. Miller admitted that he had skimmed \$500 from the F.B.I. money he was to have paid an elderly informer, and got away with it because "being an elderly lady, she didn't see that well."

He admitted taking for his own use a check for \$113 from his wife's grandmother, adding, "I'm not proud of that." Asked if he had taken it because he needed the money he replied, "not really" but did not elaborate.

He admitted receiving "less than \$1,000" from a private investigator named Larry Grayson, to whom he furnished information from the bureau and other agencies, such as license verifications. He said he knew such conduct was not permitted.

"I cared, I was just stupid," he said. Mr. Merritt asked him if he had done it because he needed the money and he replied, "not particularly."